



ENVIRONMENTAL & REGULATORY SERVICES
PECFA
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www.commerce.state.wi.us

Scott McCallum, Governor
Philip Edw. Albert, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. The site upon which bids are being solicited is:

Bid Round Number: 22
Comm Number: 53963-9677-41-A
BRRTS Number: 02-14-184177
Site Name: Farmers Elevator Bulk Facility
Site Address: W7241 State Rd 49 Waupun WI

Project Manager: Jim Kralick
Project Manager address: N7725 STH 28 Horicon WI 53032
Project Manager phone: 920/387-7867
Project Manager e-mail address james.kralick@dnr.state.wi.us

Bid Announcement Date	9/30/02
Questions or requests for information must be submitted in writing and received by:	10/14/02 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	11/1/02
Bid End Date and Time:	11/15/02 by Noon

The site investigation report, upon which bids are being sought, and the successful bid, when determined, are available for inspection at:

Department of Natural Resources N7725 STH 28 Horicon WI

Please contact the project manager listed above for an appointment.
Copies of the site investigation report can be purchased for the cost of reproduction and handling at the following address:

Kinko's, Inc. 654 W. Washington Ave. Madison 53715

Phone: 608-257-4536

Fax: 608-257-6555

SECTION 2 - Site Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments: The site is an active bulk plant with 8 petroleum ASTs. The private water supply well located along the eastern property line has been sampled three times and no petroleum constituents were found above detection limits. The site investigation identified clay, silt, and sand sediments to between 6 and 12 feet bgs, below which dolomite is encountered. An estimated 2,600 tons of unsaturated soil contains petroleum contaminants exceeding generic residual contaminant levels. The petroleum contamination is present from the ground surface to the soil/bedrock interface in the vicinity of the ASTs and the loading rack. Petroleum contaminated soil north of this area is only present at depths one to two feet above the soil/bedrock interface. A second area of contamination was noted in the vicinity of Boring 600. This area is believed to be the result of a previous fuel oil spill that occurred in 1981. Contaminated soil exceeding COMM 46.06 Table 1 and/or Table 2 values are present near the existing ASTs and loading rack. In addition, an approximate 250- to 300-ton stockpile, consisting of a mix of petroleum-impacted and non petroleum-impacted soil, remains on the property, the result of previous utility excavation work adjacent to the site. Static water levels at the site have been measured between 11.36 and 16.08 feet bgs. During the winter months water levels tend to drop and the static water level remains below the soil/bedrock interface. Groundwater flow direction during all yearly periods has been towards the northeast. Free product was noted in MW100 (1/8th inch) and MW500 (2 inches) on January 12, 1999 and April 23, 1999, respectively.

Please note that claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats.
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Contaminated soil must be remediated by means of soil excavation. The area of the excavation shall include but not be limited to the area of the pump house and borings GP2, GP3, and MW500 and all other soils exceeding NR 746.06 Table 1 values (particularly when in contact with the shallow bedrock surface) and/or Table

2 values (within the upper 4 feet bgs). Bidders should be prepared to extend the excavation as far east as boring GP1 and as far south as GP9, based upon soil analytical data obtained during the site investigation. Confirmation soil sampling for PVOs and PAHs will be required for contaminated soil remaining in place. The bid response shall include the minimum volume or mass of soil to be removed and a description and drawing depicting the depth and perimeter of the excavation. In addition, analytical sampling of the existing 250- to 300-ton soil stockpile indicates that approximately 150 tons of residual petroleum-impacted soil in the stockpile exceeds residential direct contact hazard values for several polycyclic aromatic hydrocarbons (PAHs). The contaminated soil has been sufficiently segregated from the "clean" soil in the stockpile, and will require off-site disposal along with any contaminated soil generated during the remedial action. The disposal cost for the 150 tons of PAH-contaminated soil stockpiled at the site should be included as a separate line item. Disposal costs for any "clean" soils segregated from the soil stockpile are not PECFA eligible, and should not be included as part of submitted bids. All bid responses that do not contain the minimum volume or mass of soil to be removed and a description and drawing depicting the depth and perimeter of the excavation will be considered non-compliant and removed from the bid evaluation process. All bid responses that do not contain a separate line item cost for the disposal of the 150-ton PAH-contaminated soil stockpile will be considered non-compliant and removed from the bid evaluation process.

Sampling of groundwater shall be of sufficient frequency and duration to document the improvement in groundwater quality due to the source control measures. Consequently, bidders should evaluate the possible trade off in cost between the proposed volume of contaminated soil to be removed and the extent of groundwater monitoring that will follow the remedial excavation. If free phase product appears in any of the monitoring wells, then removal of the free product along with any highly contaminated groundwater must commence. Any necessary free product/groundwater extraction can be conducted concurrently with the first year of post-excavation groundwater monitoring. At a minimum free product removal could be passive collection. Groundwater analytical sampling should always be conducted prior to free product/groundwater extraction during individual sampling events. At least four rounds of groundwater analytical sampling should be completed after free product/groundwater extraction activities have permanently ceased. An explicit description of how the free product and highly contaminated groundwater will be removed from the site must be provided in the bid response. Also, on page 1 of the bid response provide a separated line item cost estimate for remedial activities associated with free product/ contaminated groundwater extraction. Note that these costs should be included in the total costs provided on page 1. All bid responses that do not contain an explanation of how free product and associated highly contaminated groundwater is to be removed and a separation of cost for these activities will be considered non-compliant and removed from the bid evaluation process.

Groundwater monitoring shall include but not necessarily be limited to two years, and shall follow the protocol of the following tables. Natural attenuation monitoring shall not commence until after the excavation and/or remedial action is completed. As stated above, if free product/contaminated groundwater extraction is necessary, at least four rounds of post-extraction groundwater analytical

monitoring will be required. It will be necessary to replace all monitoring wells destroyed or damaged during remedial excavation or construction. MW500 will be destroyed during the excavation and must be replaced by a bedrock well (MW500R). Replacement wells shall be constructed prior to the commencement of groundwater monitoring.

Year 1

Wells	Quarterly	Semi-annually	PVOCs	PAHs	RNA#
500R, 100, 200, 300, 400, 600, PZ1	X		X	X	X
800, 900		X	X	x	X

Year (s) 2+

Wells	Quarterly	Semi-annually	PVOCs & Naphthalene*	PAHs	RNA#
100, 500 R	X		X	X	
200, 300, 400, 600, PZ1	X		X		
500R, 100, 200, 400, 600, PZ1		X			X
800, 900		X	X		

#Bidders should follow the recommended remediation by natural attenuation parameter list and monitoring schedule found on TABLE 3-1 of the Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, October 1999.

*Naphthalene DOES NOT need to be added to PVOC samples if PAH samples are also being collected.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for obtaining a closed remedial action status.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving the closed remedial action status identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, to a defined site closure or no further action required decision. The closure or no further action decision will be made by either the Department of Commerce or the Department of Natural Resources, depending on statutory site assignment. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to Comm 46, Comm 47, and NR 700.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to bring the site to a closed remedial action or no further action status will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be "non-successful." Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.

- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others

propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve the closed or no further remedial action status, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. The closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Farmers Elevator Bulk
Facility
COMMERCE NUMBER: 53963-9677-41
BRRTS NUMBER: 02-14-184177

Submit Bid To Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone () - _____
Number:
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME:	Farmers Elevator Bulk Facility
COMMERCE NUMBER:	53963-9677-41
BRRTS NUMBER:	02-141841-77

Consulting Firm phone number () ____ - ____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*